



Appeal Decision

Site visit made on 8 July 2025

by **D Ellis MPlan MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 1st October 2025

Appeal Ref: APP/D5120/W/25/3364301

47-49 Upper Wickham Lane, Bexley, Welling DA16 3AD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr J Cobb against the decision of the Council of the London Borough of Bexley.
 - The application Ref is 24/02473/FUL.
 - The development proposed is retain the ground floor retail unit and the creation, at first and second floor levels, of 5 self-contained flats.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposal on:
 - The character and appearance of the area; and
 - The living conditions of the occupiers of the flat above 45 Upper Wickham Lane (No 45), with particular regards to daylight, sunlight and privacy.

Reasons

Character and appearance

3. The appeal site comprises a commercial unit within a retail parade. The surrounding area consists of a mix of commercial and residential properties. There are a range of building designs and heights in the street scene, with distinct groups of properties with the same or similar design. For example, the appeal site is part of a group of two-storey properties with traditional hipped roofs between 39-51 Upper Wickham Lane, whilst 32-44 Upper Wickham Lane are three-storey properties with flat roofs, and opposite the appeal site is a modern two-storey supermarket with a flat roof. The distinct groups of designs have resulted in a varied but nonetheless cohesive appearance which contributes positively to the street scene.
4. The proposal would see the construction of a first and second-floor extension which would fill in the gap between the first floors and hipped roofs of 47 and 49 Upper Wickham Lane. As a result of the addition of a third storey, which would project higher than the adjacent ridge lines, and as the flat roof would be at odds with the existing traditional hipped roofs, the extension would not be in keeping with the existing building. As such, the height, bulk and massing of the extension

would be an incongruous addition which would detract from the distinct groups of properties in the street scene.

5. The proposal would therefore cause significant harm to the character and appearance of the area. The proposal would therefore conflict with Policies SP5 and DP11 of the Bexley Local Plan (2023) (LP), insofar as they require high-quality design which contributes positively to the local environment, and to ensure that the height, scale and massing are complimentary to the surrounding area and contribute positively to the street scene.

Living conditions

6. It is not disputed that a side-facing first-floor window at No 45 serves a bedroom. The Council also refers to a rear-facing bedroom window, although it is unclear whether these two windows serve the same bedroom. Nevertheless, the extension would be positioned directly in front of and in close proximity to the side-facing bedroom window at No 45. Given the substantial height and depth of the proposed extension, it would cause a significant loss of outlook and natural daylight to the side-facing bedroom window.
7. Furthermore, the proposal would include five windows in the side elevation facing No 45. However, whilst the windows would be obscure-glazed, the presence of five windows facing towards the side-facing bedroom window at No 45 would create the perception of overlooking and intrusion.
8. The appeal site is to the north of No 45, and as such the extension would not cause any significant overshadowing of No 45. However, the loss of outlook and natural daylight and the perception of overlooking of the side-facing bedroom window would cause harm to the occupiers of the flat at No 45.
9. The proposal would therefore conflict with LP Policy DP11, insofar as it seeks to ensure that existing properties' amenity is protected and that appropriate levels of privacy, outlook and natural daylight are provided.

Planning Balance and Conclusion

10. Paragraph 61 of the National Planning Policy Framework refers to significantly boosting the supply of housing, paragraph 73 states that small sites can make an important contribution to meeting the housing requirement of an area, and paragraph 125 supports the development of under-utilised sites.
11. The provision of five additional units would make a modest difference to the Council's housing supply. Economic advantages would also arise from the construction and occupation of the flats, although some of these advantages would be temporary during the period of construction. As such I afford these benefits moderate weight, however they would not outweigh the significant harm identified above.
12. The proposal therefore conflicts with the development plan as a whole and the material considerations do not indicate that the appeal should be decided other than in accordance with it. I conclude that the appeal should be dismissed.

D Ellis

INSPECTOR